Exhibit C

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE:	§	
	§	CASE NO. 20-10410-hcm
3443 ZEN GARDEN, L.P.	§	
ALLEGED DEBTOR	§	

DECLARATION OF JASON WESLEY FERGUSON IN SUPPORT OF OBJECTION TO POST-PETITION FINANCING

I, Jason W. Ferguson, being duly sworn, state the following under penalty of perjury:

- 1. I am one of the owners of Koetter Fire Protection of Austin, LLC ("Koetter") located in Pflugerville, Texas. I submit this declaration ("Declaration") in support of the Objection to Post-Petition Financing. I have been personally involved in all facets of Koetter's involvement in the improvements located at 3443 Ed Bluestein Boulevard in Austin, Texas (the "Project") and I have personal knowledge of the facts contained herein.
- 2. I have been a part of Koetter since 1998. My duties began when I opened the Austin office overseeing all operations and financial decisions in the company. In 2001, I became a managing member of the business. I started working as a contractor for Koetter installing alarms and sprinkler systems in 1998 and have been in the business continuously since that time. Prior to that, I was a master electrician working as a fire alarm system administrator at Motorola.

The Lien

3. Koetter entered into a contract with Panache Development & Construction, Inc. ("Panache") and Debtor on the Project owned by Panache and/or Debtor. The scope of work undertaken by Koetter can be generally described as the design, planning, and installation of fire alarms and fire sprinkler systems throughout the Project.

- 4. On or about October 15, 2019, and December 11, 2019, I caused to be served a Notice of Unpaid Balance on Panache and Debtor for nonpayment of invoices for the months of August 2018 through November of 2019, including retainage claims. A true and correct copy of said notices are attached hereto as Exhibit "A".
- 5. On or about December 12, 2019, and January 15, 2020, I caused to be recorded an Affidavit of Claim for Mechanic's Lien on behalf of Koetter as Official Public Document Nos. 2019195395, 2019195396, 2019195397, 2020006840, 2020006841, 2020006842, 2020006843, 2020006844, 2020006845, 2020006846, 2020006847, 2020006848, and 2020006849. A true and correct copy of said liens are attached hereto as Exhibit "B". Unpaid work and materials were installed as per the terms of the contract with Panache, payment is past due, and the lien amount remains unsatisfied.

DATED: June <u>10</u>, 2020.

Jason W. Ferguson, Managing Member Koetter Fire Protection of Austin, LLC

SUBSCRIBED AND SWORN TO BEFORE ME, on this Did day of June, 2020.

KATE MERCER
Notary Public, State of Texas
Comm. Expires 04-22-2023
Notary ID 130167898

Notary Public in and For the State of Texas

20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C Declaration of Jason Ferguson Pg 3 of 107 FERGUSON EX. "A"

DATE: October 15, 2019

Eightfold Developments, LLC. c/o Panache Development & Construction P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6754

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Eightfold Developments, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Austin, Texas 78721

Known as: Eightfold – Central Plant (193278)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Eightfold Developments, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>seventy thousand</u>, <u>nine hundred fifty and 90/100</u> Dollars (\$ 70, 950.90).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 100% design labor, 100% materials furnished and 50% labor less 10% retainage in progress of the fire sprinkler system remodel.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

Page 3

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 7018 0680 0001 4391 6730
CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6747

Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -5 of 107 177573 OF AUS...V, L.L.C.

AND YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE INVOICE #

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS . FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

06/12/19

270979

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755

REMIT TO:

	•	P.O. NUMBER	TERMS	OUI	R ORDER NO.
Thank Yo	WE Appreciate Your Business	Central Plant	: Due on Receipt	19:	3278
QUANTITY	DESCRIPTION		RATE		AMOUNT
1 1 1	PROJECT: Eightfold Central Plant 3443 Ed Bluestein Blvd. Austin, Texas 78721 Fire Sprinkler System Remodel Materials Labor Retainage - Material (10%) Retainage - Labor (10%)		1	1674.00 1152.17 6167.40 1115.22 subtotal	61674.00 11152.17 -6167.40 -1115.22 65543.55
			Sa	iles tax	5407.35
	WE APPRECIATE YOUR B	USINESS!	ТОТ		70950.90

DATE: October 15, 2019

Eightfold Developments, LLC. c/o Panache Development & Construction P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6754

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Eightfold Developments, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Austin, Texas 78721

Known as: Eightfold – Central Plant (193278)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Eightfold Developments, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>four thousand</u>, three <u>hundred forty-six and 00/100</u> Dollars (\$ 4,346.00).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 20% labor less 10% retainage in progress of the fire sprinkler system remodel.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator



cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0480 0001 4391 4730

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6747



20-10410-hcm/ Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -Declaration ECTIFICATION RD 8 of 107 OF AŪS IIN, Ī.Ī.C.

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE INVOICE#

07/18/19

271512

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS . FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755

REMIT TO:

	_	P.O. NUMBER		TERMS	ΟÚ	R ORDER NO.
Thank Yo	We Appreciate Your Business	Central Plant	D	ue on Receipt	19	3278
QUANTITY	DESCRIPTION	**************************************	11, 215 21, 215	RATE		, AMOUNT
					-	
					,	
	PROJECT: Eightfold Central Plant 3443 Ed Bluestein Blvd. Austin, Texas 78721					
	Fire Sprinkler System Remodel	•				
1	Labor			4	460.87	4460.87
1	Retainage - Labor (10%)				446.09	-446.09
				Invoice s	ubtotal	4014.78
,						
				Sal	es tax	331.22
	WE APPRECIATE YOUR BU	JSINESS!		TOTA		4346.00



DATE: October 15, 2019

Eightfold Developments, LLC. c/o Panache Development & Construction P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 OLOSO OCON 4391 6754

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Eightfold Developments, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721

Known as: Eightfold – Bldgs. H&J Core & Shell (193244)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Eightfold Developments, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>thirty-nine thousand</u>, <u>five hundred forty-seven and 67/100</u> Dollars (\$39,547.67).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 90% labor Building H Floor 2, 90% labor Building H Floor 3 and 90% labor Building H Floor 4 less 10% retainage in progress of the fire sprinkler system.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursemen Coordinator

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 OU80 0001 4391 6730

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0080 0001 4391 6747



AL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

07/17/19

271495

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc.

P.O. Box 26539 Austin, TX 78755 REMIT TO:

		P.O. NUMBER	TÉRMS	ου	R ORDER NO.
Thank Yo	u! We Appreciate Your Business	H&J Core & Shell	Due on Receip	t 19	3244
QUANTITY	DESCRIPTION		RATE		AMOUNT
1 1 1	PROJECT: Eightfold Buildings H&J 2-4 Floors (Core & Shell) 3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Sprinkler System Building H Floor 2 - Labor Building H Floor 3 - Labor Building H Floor 4 - Labor Retainage - Labor (10%)			14647.29 14647.29 14647.28 -4394.19	14647.29 14647.29 14647.28 -4394.19
				subtotal	39547.67 0.00
	WE APPRECIATE YOUR B	USINESS!	ТОТ	AL	39547.67



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered Declaration of Jason Ferguson Forcelly information, visit our website at www.usp.s.com.

Augrin Filed 07/01/20 Entered Declaration of Jason Ferguson Forcelly information, visit our website at www.usp.s.com.

Augrin Filed 07/01/20 Entered Declaration of Jason Ferguson Forcelly information, visit our website at www.usp.s.com.

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Augrin Filed 07/01/20 Entered Declaration of Jason Ferguson Filed Office Information, visit our website at www.usp.s.com.

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Augrin Filed 07/01/20 Entered Declaration of Jason Filed Office Information, visit our website at www.usp.s.com.

Augrin Filed 07/01/20 Entered Declaration of Jason Filed Office Information, visit our website at www.usp.s.com.

Augrin Filed 07/01/20 Entered Declaration of Jason Filed Office Information Informa

,20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 13 of 107 Page 13

DATE: October 15, 2019

Eightfold Developments, LLC. c/o Panache Development & Construction P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 OU80 OOO1 4391 6754

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Eightfold Developments, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building H Austin, Texas 78721

Known as: Eightfold – Building H 1st Floor (193245)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Eightfold Developments, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>eleven thousand, five hundred ninety-eight and 50/100</u> Dollars (\$_11,598.50).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 80% labor Building H 1st Floor less 10% retainage in progress of the fire sprinkler system modification .

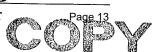
Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator



cc: Panache Development & Construction, Inc. P O Box 26539
Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 OU 80 0001 4391 6930

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 OU80 0001 4391 4747



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OFAL IN, L.L.C.

17 Page 157 C, E

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS . FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

07/18/19

271504

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539

Austin, TX 78755

REMIT TO:

		P.O. NUMBER	TERMS	OL	IR ORDER NO.
Thank Ye	Me Appreciate Your Business	Bldg. H 1st Floor	Due on Rece	ipt 19	93245
QUANTITY	DESCRIPTION		RA1	E	AMOUNT
1	PROJECT: Bldg H 1st Floor / Bldg J 1st Floor 3443 Ed Bluestein Blvd. Austin, Texas 78721 Fire Sprinkler System Modification Building H 1st Floor Labor Retainage - Labor (10%)		Invoice	11905.06 -1190.51 e subtotal	11905.06 -1190.51 10714.55
				Sales tax	883.95
	WE APPRECIATE YOUR BI	JSINESS!	ТОТ	AL	11598.50



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 16 of 107 Page 16

DATE: _____ December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6914

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building V Austin, Texas 78721

Known as: Austin Viie – Work Well Win F1 (183178)

Gentlemen:

Koetter Fire Protection of Austin, LLC., has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC. is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>seven thousand</u>, one <u>hundred eighty-six and 18/100</u> Dollars (\$7,186.18).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of $\underline{10\%}$ retainage in completion of the fire sprinkler 1^{st} floor system modification.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

COPY

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL RETURN RECEIPT REQUESTED 7018 0680 0001 4391 6921

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6938

Doc#146-375 led 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declar and recommendation of 120 Res

OFAL. N, L.L.C.

MALESTON AROUN SERE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE#

07/16/19

271478

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

REMIT TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755

4		P.O. NUMBER	TERMS	OUR	ORDER NO.
Thank Yo	U! We Appreciate Your Business	WWW F1	Due on Receipt	183	3178
QUANTITY	DESCRIPTION		RATE		AMOUNT
1	PROJECT: Eightfold - Work Well Win F1 3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani Fire Sprinkler 1st Floor Modification Retainage - Labor (10%) Invoices 267087, 268701 and 270166 Retainage - Material (10%) Invoices 267457, 268366 and 268701			1869.92 4768.59 subtotal	1869.92 4768.59 6638.51
			Sa	iles tax	547.67
				·	
	WE APPRECIATE YOUR BU	JSINESS!	ТОТ/	AL	7186.18



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 20 of 107

DATE: December 11, 2019

Austin Viie, LLC. P O Box 26538 Austin, Texas 78755-0538

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6945

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building V Austin, Texas 78721

Known as: Austin Viie – Work Well Win F2 (183179)

Gentlemen:

<u>Koetter Fire Protection of Austin, LLC.</u>, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that <u>3443 Zen Garden Limited Partnership.</u> is the owner of the land and perhaps some of the improvements and that <u>Austin Viie, LLC.</u> is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>seven thousand</u>, one <u>hundred four and 54/100</u> Dollars (\$ 7,104.54).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of $\underline{10\%}$ retainage in completion of the fire sprinkler 2^{nd} floor installation .

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against Panache Development & Construction, Inc. is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

COPY

cc: Panache Development & Construction, Inc. P O Box 26539
Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6952

CERTIFIED MAIL RETURN RECEIPT REQUESTED

7018 0680 0001 4391 6969



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Page 27 C S

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

07/17/19

271484

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

O:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755 REMIT TO:

		P.O. NUMBER	TERM	Ŝ	OUR OF	RDER NO.
Thank You	We Appreciate Your Business	WWW F2	Due on	Receipt	183179)
QUANTITY	DESCRIPTION			RATE		AMOUNT
1	PROJECT: Eightfold - Work Well Win F2 3443 Ed Bluestien Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Sprinkler 2nd Floor Installation Retainage - Labor (10%) Invoices 267088, 268708, 269171 and 270 Retainage - Material (10%) Invoices 267459 and 268708	0563		2968 3824 nvoice subto	1.10	2968.20 3821.10 6789.30
				Sales	tax	315.24
	WE ADDDECIATE VOUD D	LICINECCI				
	WE APPRECIATE YOUR B	USINESSI		TOTAL		7104.54



DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6976

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Austin, Texas 78721

Known as: Eightfold – Central Plant (193278)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>three thousand, two hundred fifty-nine and 50/100</u> Dollars (\$ 3,259.50).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of <u>15% labor less 10% retainage in progress of the fire sprinkler system remodel</u>.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7018 0680 0001 4391 6990

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

08/19/19

INVOICE #

272022

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755 REMIT TO:

	•	P.O. NUMBER	TER	MS	OUR	ORDER NO.
Thank Y	341. We Appreciate Your Business	Central Plant	Due o	n Receipt	1932	278
QUANTITY	DESCRIPTION			RATE		AMOUNT
1 1	PROJECT: Eightfold Central Plant 3443 Ed Bluestein Blvd. Austin, Texas 78721 Fire Sprinkler System Remodel Labor Retainage - Labor (10%)				345.65 334.56 ubtotal	3345.65 -334.56 3011.09
				·Sal	es tax	248.41
		,				
	WE APPRECIATE YOUR B	USINESS!		ТОТА		3259.50



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 26 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 ()680 0001 4391 10976

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Austin, Texas 78721

Known as: Eightfold – Central Plant (193278)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>three thousand</u>, two <u>hundred fifty-nine and 49/100</u> Dollars (\$ 3,259.49).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of <u>15% labor less 10% retainage in progress of the fire sprinkler system remodel</u>.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

Page 26

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7017 0680 0001 4391 6990

20-10410-hcm_Doc#146-3_Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -Page 287 (7.5) OF AUSTIN, L.L.C.

A A LEYOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE INVOICE#

11/05/19

273041

ENGINEERED SYSTEMS . FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

REMIT TO:

BILL TO: Panache Development & Construction, Inc.

P.O. Box 26539 Austin, TX 78755

		P.O. NUMBER	TI	ERMS	OUI	R ORDER NO.
Thank You	u! We Appreciate Your Business	Central Plant	Due	e on Receipt	19	3278
QUANTITY	DESCRIPTION			RATE		AMOUNT
	PROJECT: Eightfold Central Plant 3443 Ed Bluestein Blvd. Austin, Texas 78721					
	Fire Sprinkler System Remodel					
1	Labor			3	345.64	3345.64
1	Retainage - Labor (10%)				-334.56	-334.56
	•			Invoice s	ubtotal	3011.08
		·		Sa	les tax	248.41
7						
	WE APPRECIATE YOUR B	USINESS!		TOTA	۸L	3259.49



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 29 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7018 0680 0001 4391 7003

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721

Known as: Eightfold – Bldgs. H&J Core & Shell (193244)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>four thousand</u>, three hundred ninety-four and 20/100 Dollars (\$4,394.20).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 10% labor Building H Floor 2, 10% labor Building H Floor 3 and 10% labor Building H Floor 4 less 10% retainage in progress of the fire sprinkler system.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, Inc. <u>is past due according to terms</u>.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7010

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7027

20-10410-hcm_Doc#146-3_Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Deglar Doc#146-3_Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Deglar Doc#146-3_Filed 07/01/20 14:33:56 Exhibit C - Doc#146-3_Filed 07/01/20 14:33:56 Exhibit Doc#146-3_Filed 07/01/20 14:33:56 Exhibit Doc#146-3_Filed 07/01/20 14:33:56 Exhibit Doc#146-3_Filed 07/01/20 14:33:56 Exhibit Doc#146-3_Filed 07/01/20 14:35 Exhibit Doc#146-3_Filed 07/01/20 14:35 Exhibit Doc#146

A 12 YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

09/20/19

272460

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

то:

Panache Development & Construction, Inc.

P.O. Box 26539 Austin, TX 78755 REMIT TO:

		P.O. NUMBER	TERMS	OUR	ORDER NO.
Thank Ye	Me Appreciate Your Business	WWW Phase 2	Due on Receip	t 193	244
QUANTITY	DESCRIPTION		RATE		AMOUNT
1 1 1	PROJECT: Eightfold Building H 2-4 Core & Shell 3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Sprinkler System Building H Floor 2 Labor Buildin H Floor 3 Labor Labor Retainage - Labor (10%)		Invoice	1627.48 1627.48 1627.48 -488.24 subtotal	1627.48 1627.48 1627.48 -488.24 4394.20
			S	ales tax	0.00
	WE APPRECIATE YOUR B	USINESS!	тот	AL	4394.20



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 32 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7019 0680 0001 4391 7003

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721

Known as: Eightfold – Bldgs. H&J Core & Shell (193244)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>one hundred four thousand, three hundred thirty-two and 40/100</u> Dollars (\$ 104,332.40).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 100% materials Building J Floor 2, 100% labor Building J Floor 2, 100% materials Building J Floor 3, and 75% labor Building J Floor 3 less 10% retainage in progress of the fire sprinkler system.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Wordinator

Page 32

20 Entered 07/01/20 14:33:56 Exhibit C -Declaration ASOLE REPORTS OF 107 OF A AN, L.L.C.

ALEXOUNEED TO KNOW ABOUT TREEPROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS . FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

11/05/19

273034

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO

LUBBOCK ★ CORPUS CHRISTI

BILL TO:

REMIT TO:

Panache Development & Construction, Inc.

P.O. Box 26539 Austin, TX 78755

		P.O. NUMBER	TERMS	OUI	R ORDER NO.
Thank Yo	u! We Appreciate Your Business	J 2&3 Core & Shell	Due on Receipt	19	3244
QUANTITY	DESCRIPTION		RATE		AMOUNT
1 1 1 1	PROJECT: Eightfold Buildings J 2-3 Floors (Core & S 3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Sprinkler System Building J Floor 2 Materials Building J Floor 2 Labor Building J Floor 3 Materials Building J Floor 3 Labor Retainage - Material (10%) Retainage - Labor (10%)	Shell)	1 3 1	8278.03 8887.40 8278.03 4165.55 7655.61 3305.29 subtotal	38278.03 18887.40 38278.03 14165.55 -7655.61 -3305.29 98648.11
			Sa	ales tax	5684.29
	WE APPRECIATE YOUR E	USINESS!	тот	AL	104332.40



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 34 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7018 0680 0001 4391 6884

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building F Austin, Texas 78721

Known as: Austin Viie – Work Well Win F1 TI (183172)

Gentlemen:

Koetter Fire Protection of Austin, LLC., has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC. is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>four thousand, two hundred nine and 19/100</u> Dollars (\$4,209.19).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 40% labor Building F 1st Floor less 10% retainage in progress of the fire alarm system .

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against Panache Development & Construction, Inc. is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6891

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6907



OF AUSTIN, L.L.C.

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

P6724/19

MX94G6#

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL Panache Development & Construction, Inc. P.O. Box 26539

P.O. Box 26539 Austin, TX 78755 REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

Thank You! We Appreciate Your Business WWW F

P.O. NUMBËR	TERMS	OUR ORDER NO.
WWW F1 TI	Due on Receipt	183172

QUANTITY	DESCRIPTION			RATE		AMOUNT	
	PROJECT: Eightfold Building F 1st Floor 3443 Ed Bluestein Blvd. Austin, Texas 78721-2912 WWW F1 TI Troy Fellows Fire Alarm System						
1	Building F 1st Floor - Labor				4320.44	4320.	44
1	Retainage - Labor (10%)		-		-432.04	- 432.	04
	,			Invoice	subtotal	3888.	40
	·		1	Sa	ales tax	320.	79
					-		
		·					
						•	
	WE APPRECIATE YOUR E	BUSINESS!			anasar 1 a	4209.1	9
				TOT	ΛI	.200,11	-

TOTAL



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 37 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6884

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building F Austin, Texas 78721

Known as: Austin Viie – Work Well Win F1 TI (183172)

Gentlemen:

Koetter Fire Protection of Austin, LLC., has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC. is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>one thousand, fifty-two and 30/100</u> Dollars (\$1,052.30).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 10% labor Building F 1st Floor less 10% retainage in progress of the fire alarm system.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, Inc. is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Loordinator



cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7014 0680 0001 4391 (6891

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 6901



OF ALLIN, L.L.C.

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE#

11/05/19

273043

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK * CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539

Austin, TX 78755

REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

		P.O. NUMBER	TÉRMS	OUR (ORDER NO.
Thank Yo	We Appreciate Your Business	WWW F1 TI	Due on Receipt	1831	72
QUANTITY	DESCRIPTION		RATE		AMOUNT
1 1	PROJECT: Eightfold Building F 1st Floor 3443 Ed Bluestein Blvd. Austin, Texas 78721-2912 WWW F1 TI Troy Fellows Fire Alarm System Building F 1st Floor Labor Retainage - Labor (10%)		Invoice	1080.11 -108.01 subtotal	1080.11 -108.01 972.10
			Sa	ales tax	80.20
	WE APPRECIATE YOUR B	USINESS!	Тот	ÁL	1052.30



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 En

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7041

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721

Known as: Austin Viie – Bldgs. H & J 1st Floor (193245)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>fifty-seven thousand</u>, seven hundred forty-three and 64/100 Dollars (\$ 57,743.64).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 20% labor Building H 1st Floor, 80% materials Building J 1st Floor and 80% labor Building J 1st Floor less 10% retainage in progress of the fire sprinkler system modification.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, Inc. is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator



cc: Panache Development & Construction, Inc. P O Box 26539
Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7058

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7065

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

09/20/19

272466

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755 REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

		P.O. NUMBER	TERN	1Ŝ	OUI	R ORDER NO.
Thank Yo	We Appreciate Your Business	Core & Shell	Due or	Receipt	19	3245
QUANTITY	DESCRIPTION			ŔATE		AMOUNT
	•					
	PROJECT: Bldg H 1st Floor / Bldg J 1st Floor 3443 Ed Bluestein Blvd. Austin, Texas 78721					
	Fire Sprinkler System Modification			•	.070.07	
1	Building H 1st Floor Labor				976.27	2976.27
1	Building J 1st Floor Materials				562.40	40562.40
1	Building J 1st Floor Labor				731.17	15731.17
1	Retainage - Labor (10%)				870.74	-1870.74
1	Retainage - Material (10%)				1056.24	-4056.24
				Invoice s	ubtotal	53342.86
				Sa	les tax	4400.78
	WE APPRECIATE YOUR B	USINESS!		TOT	\L	57743.64



Page 44

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7041

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721

Known as: Austin Viie – Bldgs. H & J 1st Floor (193245)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>thirteen thousand</u>, seven hundred eleven and 01/100 Dollars (\$ 13,711.01).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 20% materials Building J 1st Floor and 20% labor Building J 1st Floor less 10% retainage in progress of the fire sprinkler system modification.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator



cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7014 0640 0001 4391 7058

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0480 0001 4391 9045



Declar and Stock of 107 OF AUJ FIN, L.L.C.

ALL YOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

11/05/19

273038

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS . SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539

Austin, TX 78755

REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

		P.O. NUMBER	TERMS	OÚF	RORDER NO.
Thank Yo	u! We Appreciate Your Business	Building J 1st Floor	Due on Receip	193	3245
QUANTITY	DESCRIPTION		RATE		AMOUNT
	DDO IFOT.				
	PROJECT: Bldg H 1st Floor / Bldg J 1st Floor 3443 Ed Bluestein Blvd. Austin, Texas 78721				
	Fire Sprinkler System Modification				
1	Building J 1st Floor Materials		1	0140.60	10140.60
1	Building J 1st Floor Labor			3932.80	3932.80
1	Retainage - Material (10%)			1014.06	-1014.06
1	Retainage - Labor (10%)			-393.28	-393.28
			Invoice	subtotal	12666.06
. •					
			S	ales tax	1044.95
		•			
	WE APPRECIATE YOUR B	USINESS!	тот	AL	13711.01



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 47 of 107

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED

7018 0680 0001 4391 7072

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Blvd. Building F Austin, Texas 78721

Known as: Austin Viie – Building F 2nd Floor (193246)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>four thousand</u>, <u>eight</u> hundred forty-one and 92/100 Dollars (\$ 4,841.92).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 50% labor Building F 2nd Floor less 10% retainage in progress of the fire alarm system installation.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

COMY

cc: Panache Development & Construction, Inc. P O Box 26539 Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7089

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7096



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

ROETTER FIRE CHARLES THE GOVERNMENT OF AULLIN, L.L.C.

17 Page 49 C, E,

ALLYOU NEED TO KNOW ABOUT FIRE PROTECTION.

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

11/05/19

273044

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALÀRM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

TO: Panache Development & Construction, Inc.

P.O. Box 26539 Austin, TX 78755 REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

		P.O. NUMBER	T.	ERMS	OUR	ORDER NO.
Thank Yo	We Appreciate Your Business	WWW F2 TI	Du	le on Receipt	193	246
QUANTITY	DESCRIPTION			RATE		AMOUNT
1	PROJECT: Building F 2nd Floor Installation 3443 Ed Bluestein Blvd. Austin, Texas 78721 WWW F2 TI Adam Zarafshani / Troy Fellows Fire Alarm System Installation Building F 2nd Floor Labor Retainage - Labor (10%)				5379.91 -537.99 ubtotal	5379.91 -537.99 4841.92
				Sa	les tax	0.00
	WE APPRECIATE YOUR	BUSINESS!		тот	XL	4841.92



20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 50 of 107

TE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL RETURN RECEIPT REQUESTED

7018 0680 0001 4391 7102

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

DATE:

Project location: 3443 Ed Bluestein Bldgs F(3-4) H(2-4) J(2-4) Austin, TX 78721

Known as: Austin Viie – Bldgs F(3-4), H(2-4), J(2-4) (193247)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>two thousand, seven hundred twenty-six and 81/100</u> Dollars (\$ 2,726.81).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of <u>35% labor Building F Floors 3-4 less 10% retainage</u> in progress of the fire alarm system installation.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, <u>Inc.</u> is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Cordinator

20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 51 of 107 Page 5

cc: Panache Development & Construction, Inc. P O Box 26539
Austin, Texas 78755

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7119

cc: 3443 Zen Garden Limited Partnership 3443 Ed Bluestein Blvd. Austin, Texas 78721-2902 CERTIFIED MAIL RETURN RECEIPT REQUESTED

7018 0680 0001 4391 7126



Declaration of asem erguson pg 52 of 107

ALLYOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY 11/05/19

273046

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755 REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

	WE APPRECIATE YOUR B	IISINESSI	and the second s	TOTA		2726.81
		e e e e e e e e e e e e e e e e e e e				
				-		
			į			
				Sa	les tax	0.00
				Invoice s	ubtotal	2726.81
1	Retainage - Labor (10%)				-302.98	-302.98
1	Building F Floors 3-4 Labor			. 3	3029.79	3029.79
	3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Alarm System Installation					
	PROJECT: Bldgs F 3-4 WWW Phase 2					
QUANTITY	DESCRIPTION			RATE		AMOUNT
Thank You	l! We Appreciate Your Business	WWW PH2	Dı	ue on Receipt	19	3247
		P.O. NUMBER	della	TERMS	OUI	R ORDER NO.



Page 53

DATE: December 11, 2019

Austin Viie, LLC P O Box 26538 Austin, Texas 78755-0538 CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7018 0680 0001 4391 7034

Re:

Koetter Fire Protection of Austin, LLC. (Subcontractor)

Panache Development & Construction, Inc. (Original Contractor)

Austin Viie, LLC. (Lessee)

Project location: 3443 Ed Bluestein Bldgs F, H and J 1st Floor Austin, TX 78721 Known as: Austin Viie – Bldgs F, H, and J 1st Floor Renovation (193248)

Gentlemen:

Koetter Fire Protection of Austin, LLC, has furnished materials and labor to the above-named original contractor pertaining to the construction project described above. We understand that 3443 Zen Garden Limited Partnership. is the owner of the land and perhaps some of the improvements and that Austin Viie, LLC is the owner of a leasehold estate and some or all of the improvements at the described location. We further understand that the above-designated original contractor is the original contractor. Please advise immediately if any of these assumptions is incorrect.

The principal amount of the account with the original contractor is <u>one thousand, four hundred twenty-three and 84/100</u> Dollars (\$ 1,423.84).

If this claim remains unpaid, you may be personally liable and your property (the tenant's leasehold estate only) may be subjected to a lien unless you withhold payment from the above-mentioned original contractor for the payment of the claim or unless the claim is otherwise paid or settled.

Enclosed you will find a copy of the invoice(s).

The materials and labor consist of 25% labor Building F 1st Floor less 10% retainage in progress of the fire alarm system.

Demand for payment is hereby made pursuant to Section 53.083 of the Property Code of the State of Texas. Our claim, or a part thereof, against <u>Panache Development & Construction</u>, Inc. is past due according to terms.

The purpose of this letter is to comply with the mechanics' and materialmen's lien statutes.

Sincerely,

Enclosures

Reimbursement Coordinator

Page 53

20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C peclar terrol of 107 777543 OFALL.IN, L.L.C.

ALLYOU NEED TO KNOW ABOUT FIRE PROTECTION

16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005 (512) 251-7888 FAX (512) 251-7848

DATE

INVOICE #

11/05/19

273048

ENGINEERED SYSTEMS • FIRE SUPPRESSION SYSTEMS FIRE ALARM SYSTEMS • FIRE EXTINGUISHERS FIRE SPRINKLER SYSTEMS • SECURITY

AFFILIATES IN

DALLAS ★ HOUSTON ★ LONGVIEW ★ SAN ANTONIO LUBBOCK ★ CORPUS CHRISTI

BILL TO:

Panache Development & Construction, Inc. P.O. Box 26539 Austin, TX 78755

REMIT TO:

KOETTER FIRE PROTECTION OF AUSTIN, L.L.C. 16069 CENTRAL COMMERCE DRIVE PFLUGERVILLE, TEXAS 78660-2005

		P.O. NUMBER	TERMS	OUR (DRDER NO.
Thank Ye	ou! We Appreciate Your Business	WWW PH1	Due on Receip	1932	.48
QUANTITY	DESCRIPTION		RATE		AMOUNT
1	PROJECT: Bldgs F,H & J 1st Floor Renovation 3443 Ed Bluestein Blvd. Austin, Texas 78721 Adam Zarafshani / Troy Fellows Fire Alarm System Building F 1st Floor Labor Retainage - Labor (10%)		Invoice	1461.47 -146.15 subtotal	1461.47 -146.15 1315.32
			S	ales tax	108.52
	WE APPRECIATE YOUR E	BUSINESS!	ГОТ	AL.	1423.84



20-10410-hcm	Doc#146-3 Filed 07/01/20 Entered Declaration of Jason Ferguson	Certified Mail Fee \$3,50 \$10,00 Postmark Here Return Receipt (electronic) \$10,00 Postmark Here Adult Signature Restricted Delivery \$40,00 Postage \$5,35 Postage \$5,35 Postage \$5,35 Postage and Fees \$5,35 Postage	15.
	- · · · · · · · · · · · · · · · · · · ·	U.S. Postal Service (CERTIFIED MAIL® RECEIPT Domestic Mail Only 12 2 18 93744 93744 For delivery information, visit our website at www.usps.com. AUSTIN 12 17 17 17 17 17 17 17 17 17 17 17 17 17	tions.
	49T2 TBE4 TOOO 0890 51P4	U.S. Postal Service CERTIFIED MAIL® RECE/PT Domestic Mail Only 10 2015 193744 193745 Condeliver information, right our viet site at www.insps.com AUS to Name 12 20 20 20 20 20 20 20 20 20 20 20 20 20	VC

FERGUSON Ex. "B"

STATE OF TEXAS

COUNTY TRAVIS

§ 4 pgs

2019195395

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished <u>labor and materials</u> to improve the property herein described.

- 1. <u>3443 Zen Garden Limited Partnership</u> is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. <u>3443 Zen Garden Limited Partnership</u> has entered into a lease agreement with <u>Austin Viie, LLC</u> and <u>Austin Viie, LLC</u> is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of <u>3443 Zen Garden Limited Partnerhip</u> is <u>3443 Ed Bluestein Blvd</u>. Austin, Texas 78721. The last known address of <u>Austin Viie, LLC</u> is <u>PO Box 26538 Austin, Texas 78755-0538</u>.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows: <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is <u>16069 Central Commerce Drive Pflugerville, Texas 78660-2005</u>.

6. The principal amount of the claim is <u>seventy-five thousand</u>, two hundred ninety-<u>six and 90/100</u> Dollars (\$ 75,296.90), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and</u> <u>materials</u> are described as follows:

100% design labor, 100% materials furnished and 70% labor less 10% retainage in progress of the fire sprinkler system remodel .

- 7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>June 2019 and July 2019</u>.
- 8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: October 15, 2019.

Claimant understands that the above –described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: Shund Duglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>11th</u> day of <u>December</u>, 2019, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Nobary ID # 7332086
Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

EXHIBIT A LEGAL DESCRIPTION

TRACT 1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescate Semiconductor, inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 oreated pursuant to that certain Ingress and Egress, dated August 10, 2012, by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A,

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Tralls and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.



FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Cana De Beauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2019195395

Dec 12, 2019 01:07 PM

Fee: \$38.00

MEDINAE

Page 2 of 2

General Contractor's Initials

STATE OF TEXAS

COUNTY TRAVIS

§ §	
§	

4 pgs

2019195396

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished <u>labor and materials</u> to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnerhip is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is PO Box 26538 Austin, Texas 78755-0538.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>POBox 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows: <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is <u>16069 Central Commerce Drive Pflugerville</u>, Texas 78660-2005 .

6. The principal amount of the claim is <u>thirty-nine thousand</u>, five hundred forty-seven and 67/100 Dollars (\$39,547.67), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

90% labor Building H Floor 2, 90% labor Building H Floor 3 and 90% labor Building H Floor 4 less 10% retainage in progress of the fire sprinkler systeml.

- 7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>July 2019</u>.
- 8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: October 15, 2019.

Claimant understands that the above –described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: Shun Abua A Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>11th</u> day of <u>December</u>, 2019, to certify which witness my hand and seal of office.

THERESA JUSTIS My Notary ID # 7332086 Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

EXHIBIT A LEGAL DESCRIPTION

TRACT 1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

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TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012, by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1A, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

General Contractor's Initials ____

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A.

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



2019195396

FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Dana De Beauvoir County C

Dana DeBeauvoir, County Clerk Travis County, Texas

Dec 12, 2019 01:07 PM

Fee: \$38.00

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Page 2 of 2

General Contractor's Initials

STATE OF TEXAS

COUNTY TRAVIS

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2019195397

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished <u>labor and materials</u> to improve the property herein described.

- 1. <u>3443 Zen Garden Limited Partnership</u> is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. <u>3443 Zen Garden Limited Partnership</u> has entered into a lease agreement with <u>Austin Viie, LLC</u> and <u>Austin Viie, LLC</u> is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of <u>3443 Zen Garden Limited Partnerhip</u> is <u>3443 Ed Bluestein Blvd. Austin, Texas 78721</u>. The last known address of <u>Austin Viie, LLC</u> is <u>P O Box 26538 Austin, Texas 78755-0538</u>.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>POBox 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows: <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Bldgs. H & J Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is <u>16069 Central Commerce Drive Pflugerville, Texas 78660-2005</u>.

6. The principal amount of the claim is <u>eleven thousand</u>, five hundred ninety-eight and 50/100 Dollars (\$ 11,598.50), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

80% labor Building H 1st Floor less 10% retainage in progress of the fire sprinkler system modification.

- 7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>July 2019</u>.
- 8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: October 15, 2019.

Claimant understands that the above –described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: <u>Sheur Nougas</u>
Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the 11^{th} day of <u>December</u>, 2019, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

(Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

EXHIBIT A LEGAL DESCRIPTION

TRACT 1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

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ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

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Page 1 of 2

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RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

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FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Dana De Beauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2019195397

Dec 12, 2019 01:07 PM

Fee: \$38.00

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Page 2 of 2

General Contractor's Initials



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STATE OF TEXAS

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COUNTY TRAVIS

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MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared <u>Sherri Douglas</u>, who being by me here and now duly sworn, upon oath says: That the affiant is the <u>Authorized Agent</u> of <u>Koetter Fire Protection of Austin, LLC</u>, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished <u>labor and materials</u> to improve the property herein described.

- 1. <u>3443 Zen Garden Limited Partnership</u> is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. <u>3443 Zen Garden Limited Partnership</u> has entered into a lease agreement with <u>Austin Viie, LLC</u> and <u>Austin Viie, LLC</u> is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of <u>3443 Zen Garden Limited Partnership</u> is <u>3443 Ed Bluestein Blvd. Austin, Texas 78721</u>. The last known address of <u>Austin Viie, LLC</u> is <u>3443 Ed Bluestein Blvd. Austin, Texas 78721</u>.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>POBox 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows: <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is <u>16069 Central Commerce Drive Pflugerville</u>, Texas 78660-2005 .

6. The principal amount of the claim is <u>seven thousand</u>, one <u>hundred eighty-six and 18/100</u> Dollars (\$7,186.18), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

10% retainage in completion of the fire sprinkler system 1st floor modification.

- 7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>September 2018</u>, <u>October 2018</u>, <u>November 2018</u>, <u>December 2018</u>, <u>January 2019</u>, <u>February 2019</u>, <u>March 2019</u>, <u>April 2019</u>, <u>May 2019</u>, <u>June 2019</u>, <u>July 2019</u>, and <u>August 2019</u>.
- 8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: <u>December 11</u>, 2019.

Claimant understands that the above –described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: <u>Churi Vougus</u>
Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

EXHIBIT A LEGAL DESCRIPTION

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Page 1 of 2

General Contractor's Initials ____

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FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dans De Sesuvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2020006840

Jan 15, 2020 11:50 AM

Fee: \$38.00

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Page 2 of 2

Subcontractor's Initials ______

General Contractor's Initials



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STATE OF TEXAS

INTY<u>TRAVIS</u>

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box</u> 26539 Austin, Texas 78755.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u> 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

6. The principal amount of the claim is <u>seven thousand</u>, one <u>hundred four and</u> 54/100 Dollars (\$7,104.54), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

10% retainage in completion of the fire sprinkler system 2nd floor installation.

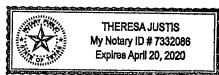
The labor and materials, for which payment is requested, were furnished during the month(s) of August 2018, September 2018, October 2018, November 2018, December 2018, January 2019, February 2019, March 2019, April 2019, May 2019, June 2019, July 2019, August 2019 and September 2019.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen-Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: <u>Shruu Doud</u> Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.



Notary Public, State of Yexas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006841 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

Declaration of Jason Ferguson Pg 74 of 107



TRACT/1: Lbt 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA-ING. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200800045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescate Semiconductor, Inc. and Hewiett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A; and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Fravis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Semiconductor, inc. and Hewlett-Packard Company, recorded in Document No. 2006222367, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis-County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Biuestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A_A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200600045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 of eated pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No., 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that 1 certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

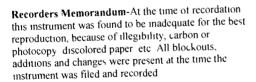
Page 1 of 2

General Contractor's Initials

TRÁCT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that Gertain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A.

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEM FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.





FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Care De Seauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2020006841

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____.

General Contractor's Initials



4 pgs 2020006842

STATE OF TEXAS

COUNTY TRAVIS

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri-Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claurant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box</u> 26539 Austin, Texas 78755.
- 3. Said <u>labor and materials</u> were furnished to <u>PanacherDevelopment & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u> 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005.

6. The principal amount of the claim is <u>six thousand</u>, five hundred eighteen and <u>99/100</u> Pollars (\$ <u>6,518.99</u>), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

30% labor less 10% retainage in progress of the fire sprinkler system remodel.

The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of August 2019 and October 2019.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Vije, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

X

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006842 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -Declaration of Jason Ferguson Pg 78 of 107



TRACT)1; Lbt 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1. MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2; Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public, Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Recipropal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas:

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012182396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200800045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

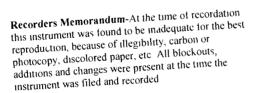
Page 1 of 2

General Contractor's Initials

TBACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that Cartain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A:

RESUBBIVISION PLATOR LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2612, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No.-2012192399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOF 1A, RESUBDIVISION PLAT OF LOF 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis-County, Texas.







Dana DeBeauvoir, County Clerk Travis County, Texas

2020006842

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____.





4 pgs 2020006843

STATE OF TEXAS

COUNTY<u>TRAVIS</u>

MECHÁNIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherr Douglas, who being by me here and now duly sworn, upon oath says: That the affrant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts begin set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership 1s the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership 1s 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u> 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

The principal amount of the claim is <u>four thousand</u>, three hundred ninety-four and <u>20/100</u> Pollars (\$<u>4,394.20</u>), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

10% labor bldg. H floor 2, 10% labor bldg. H floor 3 and 10% labor bldg. H floor 4 less 10% retainage in progress of the fire sprinkler system.

7.— The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: August 2019 and September 2019.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: Shure Wought

Sherri-Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hard and seal of office.

X

THERESA JUSTIS
My Notary ID # /332086
Expires April 20, 2020

Notary Public; State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005 **2020006843 Page 3 of 4** 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

Declaration of Jason Ferguson Pg 82 of 107



TRACT): Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescate Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1Ar and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurlement to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Septiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas:

TRACT 4: Non-Exclusive Easement Estate appurenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012182396, Official Public Records, Travis County, Texas; over and across those portions of Lot 14-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. BD BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement. Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that 1 certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

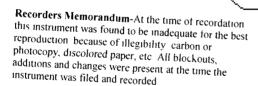
General Contractor's Initials

Subcontractor's Initials ______

TBACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A:

RESUBDIVISION PLAT-OF, LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Becords, Travis County, Texas.

TRACT 8: Nop-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Tralis and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012/132399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.





Dana DeBeauvoir, County Clerk Travis County, Texas

2020006843

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____





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STATE OF TEXAS

§ §

COUNTY TRAVIS

§ 8

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished <u>labor and materials</u> to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows: <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is <u>16069 Central Commerce Drive</u> <u>Pflugerville, Texas 78660-2005</u>.

6. The principal amount of the claim is <u>one hundred four thousand, three hundred thirty-two and 40/100</u> Dollars (\$104,332.40), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

100% materials bldg. J floor 2, 100% labor bldg. J floor 2, 100% materials bldg. J floor 3 and 75% labor bldg. J floor 3 less 10% retainage in progress of the fire sprinkler system.

- 7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>October 2019 and November 2019</u>.
- 8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: <u>December 11, 2019</u>.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

y: <u>GNUSU X YOUA (AV)</u> Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

EXHIBIT A LEGAL DESCRIPTION

TRACT 1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INO. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Dogument No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurlenant to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012, by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

General Contractor's Initials ____

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A.

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Repiprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132399, Official Public Records, Travis County, Texas; all rights therein to the pedastrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

> Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.



FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Dana De Beauvoir

Dana DeBeauvoir, County Clerk **Travis County, Texas**

2020006844

Jan 15, 2020 11:50 AM

Fee: \$38.00

BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____ General Contractor's Initials:





4 pgs 2020006845

STATE OF TEXAS

COUNTY-TRAVIS

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC , herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct

Claimant has furnished labor and materials to improve the property herein described.

- 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd Austin, Texas 78721.
- Panache Development & Construction, Inc. is the original contractor on the project or that portion thereof for which the hereinafter described labor and materials were furnished. The last known address of Panache Development & Construction, Inc. is PO Box 26539 Austin, Texas 78755.
- Said labor and materials were furnished to Panache Development & Construction, Inc. by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- The labor and materials were furnished for the improvement of real property located in Travis County, Texas, which real property is described as follows: EXHIBIT A (attached). Also known as 3443 Ed Bluestein Blvd. Building V-Austin, Texas 78721.
- The Claimant's physical/mailing address is _16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006845 Page 2 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

Declaration of Jason Ferguson Pg 89 of 107

The principal amount of the claim is <u>five thousand</u>, two <u>hundred sixty-one and 49/100</u> Pollars (\$ 5,261.49), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

50% labor bldg. F floor 1 less 10% retainage in progress of the fire alarm system.

the <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>August 2019</u>, <u>September 2019</u>, <u>October 2019 and November 2019</u>.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: <u>December 11, 2019</u>.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: Ohlu Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of January , 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

Notary Public, State of Texas

2020006845 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C - Declaration of Jason Ferguson Pg 90 of 107

> EXHIBIT A LEGAL DESCRIPTION

TRACT/1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC: ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006/22/2165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN PACILITY, according to the map or plat thereof, recorded in Document No. 2006/000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2009/00045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Septiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012182396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1A, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1. MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that 1 certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

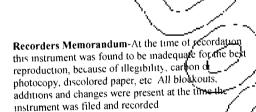
General Contractor's Initials

Subcontractor's Initials ______

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that Certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A:

RESUBBIVISION PLATOR LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEM FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Basement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012/182399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.





FILED AND RECORDED OFFICIAL PUBLIC RECORDS

Dana De Beauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2020006845

Jan 15, 2020 11:50 AM

Fee: \$38,00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____ .

General Contractor's Initials



STATE OF TEXAS

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MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri-Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described labor and materials were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u> 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

6. The principal amount of the claim is <u>seventy-one thousand</u>, four <u>hundred fifty-four and 65/100</u> Dollars (\$ 71,454.65), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

20% labor bldg. H floor 1, 100% materials furnished/installed bldg. J floor 1 and 100% labor bldg. J floor 1 less 10% retainage in progress of the fire sprinkler system modification.

7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of. August 2019, September 2019 and October 2019.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen-Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires Aorti 20, 2020

Notary Public, State of Texa

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006846 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

Declaration of Jason Ferguson Pg 94 of 107



TRACT/1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA-INE: ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

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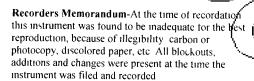
Page 1 of 2

General Contractor's Initials

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FILED AND RECORDED OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir, County Clerk Travis County, Texas

2020006846

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____

General Contractor's Initials



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STATE OF TEXAS

COUNTY_PRAVIS

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says: That the affirm is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts begin set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership is the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u> 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006847 Page 2 of 420-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C Declaration of Jason Ferguson Pg 97 of 107
Page

The principal amount of the claim is <u>four thousand</u>, <u>eight hundred forty-one and 92/100 Pollars</u> (\$4,841.92), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

50% labor bldg. F floor 2 less 10% retainage in progress of the fire alarm system installation.

7—The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>July 2019</u>, <u>August 2019</u>, <u>September 2019</u>, <u>October 2019</u> and <u>November 2019</u>.

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen-Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

By: <u>Shirk WWW</u> Sherr Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of January , 2020, to certify which witness my hard and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

otary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006847 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

Declaration of Jason Ferguson Pg 98 of 107



TRACT/1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INS: ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 20090045, Official Public Records, Travis County, Texas.

TRACT 2: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-rand 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurement to Tract 1 created pursuant to that certain Reciprocal Access Agreement for Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Septiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1A, MOTOROLA INC. BD BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pyrsuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Bocument No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

General Contractor's Initials

Subcontractor's Initials _____

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that Certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on Lot 1A-A.

RESUBDIVISION PLATOR LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT & Non-Exclusive Basement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2612, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No.-2012182399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOD TA, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction because of illegibility, carbon or photocopy discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Cara De Seauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

2020006847

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____.

General Contractor's Initials



4 pgs 2020006848

STATE OF TEXAS

COUNTY-TRAVIS

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherri Douglas, who being by me here and now duly sworn, upon oath says. That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant"; and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described

- 1 3443 Zen Garden Limited Partnership 1s the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership is 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described <u>labor and materials</u> were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box 26539 Austin, Texas 78755</u>.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4 The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u> Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas</u>
 78721.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

The principal amount of the claim is two thousand, seven hundred twenty-six and 81/100 Pollars (\$ 2,726.81), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

35% labor bldg. F floors 3 & 4 less 10% retainage in progress of the fire alarm system installation.

7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: August 2019, September 2019 and November 2019

8. Notice(s) of claim were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen-Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS
My Notary ID # 7332086
Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

2020006848 Page 3 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -Declaration of Jason Ferguson Pg 102 of 107

EXHIBIT A LEGAL DESCRIPTION

TRACT/I: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1. MOTOROLA INC: ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 2; Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Easement Agreement for Emergency Reciprocal Access, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222165, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A, and 2A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 3: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Access Agreement or Landscape and Building Maintenance, dated November 15, 2006, by and between Freescale Semiconductor, Inc. and Hewlett-Packard Company, recorded in Document No. 2006222167, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-and 2A-RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 2006000304, Official Public Records, Travis County, Texas, now known as Lot 1A-A, and Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas:

TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012, by and between MFPB Ed Biuestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012182396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 5; Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement. Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION-PLAT OF LOT 1. MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that 1 certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

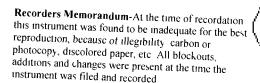
General Contractor's Initials

Subcontractor's Initials ______

TRACT 7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that Certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on bot 1A-A.

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8; Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No.-2012/192399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.





FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Cana De Seauvoir

Dana DeBeauvoir, County Clerk Travis County, Texas

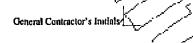
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Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____





4 pgs 2020006849

STATE OF TEXAS

COUNTY-TRAVIS

MECHANIC'S AND MATERIALMAN'S LIEN AFFIDAVIT

BEFORE ME the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Sherr Douglas, who being by me here and now duly sworn, upon oath says: That the affiant is the Authorized Agent of Koetter Fire Protection of Austin, LLC, herein called "Claimant", and is duly qualified and authorized to make this affidavit, fully cognizant of the facts herein set out and such facts are true and correct:

Claimant has furnished labor and materials to improve the property herein described.

- 1. 3443 Zen Garden Limited Partnership 18 the owner or reputed owner of the land herein described and possibly some of the improvements located thereon. 3443 Zen Garden Limited Partnership has entered into a lease agreement with Austin Viie, LLC and Austin Viie, LLC is the owner or reputed owner of a leasehold estate and some or all of the improvements located thereon. The last known address of 3443 Zen Garden Limited Partnership 18 3443 Ed Bluestein Blvd. Austin, Texas 78721. The last known address of Austin Viie, LLC is 3443 Ed Bluestein Blvd. Austin, Texas 78721.
- 2. <u>Panache Development & Construction, Inc.</u> is the original contractor on the project or that portion thereof for which the hereinafter described labor and materials were furnished. The last known address of <u>Panache Development & Construction, Inc.</u> is <u>PO Box</u> 26539 Austin, Texas 78755.
- 3. Said <u>labor and materials</u> were furnished to <u>Panache Development & Construction</u>, <u>Inc.</u> by Claimant pursuant to an agreement between Claimant and Claimant's Customer.
- 4. The <u>labor and materials</u> were furnished for the improvement of real property located in <u>Travis</u> County, Texas, which real property is described as follows:

 <u>EXHIBIT A (attached)</u>. Also known as <u>3443 Ed Bluestein Blvd. Building V Austin, Texas 78721</u>.
- 5. The Claimant's physical/mailing address is 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

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The principal amount of the claim is <u>one thousand</u>, four hundred twenty-three and <u>84/100</u> Dollars (\$ 1,423.84), and said amount is just and correct and all just and lawful offsets, payments and credits known to the affiant have been allowed. The <u>labor and materials</u> are described as follows:

25% labor bldg. F floor 1 less 10% retainage in progress of the fire alarm system modification.

7. The <u>labor and materials</u>, for which payment is requested, were furnished during the month(s) of: <u>July 2019</u>, <u>September 2019</u> and <u>November 2019</u>.

8. Notice(s) of Nam were sent to the owner of the land, the lessee and original contractor by certified mail on: December 11, 2019.

Claimant understands that the above —described land and some of the improvements are leased to Austin Viie, LLC by 3443 Zen-Garden Limited Partnership. Claimant is filing this lien against the tenant's leasehold interest only in the land and improvements.

Sherri Douglas, Authorized Agent

SUBSCRIBED and SWORN to BEFORE ME, by the said <u>Sherri Douglas</u>, this the <u>15th</u> day of <u>January</u>, 2020, to certify which witness my hand and seal of office.

THERESA JUSTIS

My Notary ID # 7332086

Expires April 20, 2020

Notary Public, State of Texas

RETURN TO:

Koetter Fire Protection of Austin, LLC 16069 Central Commerce Drive Pflugerville, Texas 78660-2005

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EXHIBIT A LEGAL DESCRIPTION

TRACT/1: Lot 1A-B, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA ING: ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 20090045, Official Public Records, Travis County, Texas.

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TRACT 4: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Ingress and Egress, dated August 10, 2012; by and between MFPB Ed Bluestein LLC and Freescale Semiconductor, Inc., recorded in Document No. 2012132396, Official Public Records, Travis County, Texas; over and across those portions of Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. BD BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200800045, Official Public Records, Travis County, Texas.

TRACT 5: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Parking Spaces Easement Agreement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132397, Official Public Records, Travis County, Texas; all rights therein to the use of the parking spaces located on the third and fourth floors shown as G-1 in EXHIBIT "B" of Agreement, Said Parking Garage located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC.

ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 6: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that 1 certain Stairwell Ingress and Egress Access Easement, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132398, Official Public Records, Travis County, Texas; all rights therein to the use of the stairwell shown in EXHIBIT "A" of Agreement. Said stairwell located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

Page 1 of 2

General Contractor's Initials

Subcontractor's Initials ______

2020006849 Page 4 of 4 20-10410-hcm Doc#146-3 Filed 07/01/20 Entered 07/01/20 14:33:56 Exhibit C -

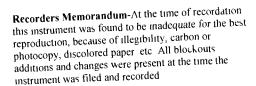
Declaration of Jason Ferguson Pg 107 of 107

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TRACT_7: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access through Doorway to Buildings K and L, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132400, Official Public Records, Travis County, Texas; all rights therein to the access use of the doorway shown in EXHIBIT "B" of Agreement. Said doorway located on bot 1A-A.

RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEW FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.

TRACT 8: Non-Exclusive Easement Estate appurtenant to Tract 1 created pursuant to that certain Reciprocal Easement Agreement for Access to Trails and for Lot Line Maintenance, dated August 10, 2012, by and between Freescale Semiconductor, Inc., and MFPB Ed Bluestein LLC, recorded in Document No. 2012132399, Official Public Records, Travis County, Texas; all rights therein to the pedestrian access over and across the trails currently existing as shown in EXHIBIT "A" of Agreement; all rights therein for landscaping and maintenance. Said trails located on Lot 1A-A, RESUBDIVISION PLAT OF LOT 1A, RESUBDIVISION PLAT OF LOT 1, MOTOROLA INC. ED BLUESTEIN FACILITY, according to the map or plat thereof, recorded in Document No. 200900045, Official Public Records, Travis County, Texas.



FILED AND RECORDED OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir, County Clerk Travis County, Texas

2020006849

Jan 15, 2020 11:50 AM

Fee: \$38.00 BARTHOLOMEWD

Page 2 of 2

Subcontractor's Initials _____ .

